IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 17TH JULY 2006 / 26TH ASHADHA,1928

Bail Appl..No. 4057 of 2006

CMP.1588/2006 of JUDL.MAG.OF FIRST CLASS-I,MANJERI
(CRIME NO.214/2006 OF AREACODE POLICE STATION)

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PETITIONER/ACCUSED.

ABDUL AZEEZ, AGED 23 YEARS,
S/O.MOHAMMED, PULLATTU HOUSE,
POOVATHINGAL, POOLAKKACHALIL, ERNAD TALUK,
MALAPPURAM DISTRICT,
AREACODE POLICE STATION LIMIT.

BY ADV. SRI.K.SHIBILI NAHA

RESPONDENTS: COMPLAINANT AND STATE.

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1. THE SUB INSPECTOR OF POLICE,
AREACODE POLICE STATION.

2. THE STATE REPRESENTED BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4057/2006

DATED THIS THE 17TH DAY OF JULY, 2006

O R D E R

The petitioner was arrested on 18.5.2006, for the offence punishable under Sections 366 and 376 IPC. It is alleged that the petitioner took a minor girl, promissing to marry her, on 15.5.2006, and committed rape on her. The prosecution submits that the petitioner was married and he returned from Gulf. While the minor girl and her mother were standing near the bus stand, he went in a bike and enticed the minor girl, offering to marry her.

2. After hearing both sides and considering that the investigation is nearing progress and he is in judicial detention from 18.5.2006, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Manjeri.

(b). The petitioner shall report before

the investigating officer, once in a week on every Friday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 21.7.2006 and thereafter, on the first working day of every month, till the final filing of the report, by the investigating officer.

(c). The petitioner shall not leave the State of Kerala, until the trial and disposal of the Sessions Case.

(d). The petitioner shall not threaten the victim, her relatives and the witnesses and he shall not interfere with the investigation, in any manner.

(e). The petitioner shall surrender his passport, immediately on release from jail, to the investigating officer. The same shall be returned, only as per the specific orders of the trial Court.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs